

Comment Set 22



EAST BAY BICYCLE COALITION

POST OFFICE BOX 1736 OAKLAND, CALIFORNIA 94604

www.ebbc.org

April 10, 2006

Ms. Valerie Van Way
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825
(916) 574-1810

RE: DEIR for the Chevron Long Wharf Terminal Lease

Dear Ms. Van Way:

The East Bay Bicycle Coalition (EBBC), founded in 1972, has a long involvement with the Bay Trail project to plan and implement a pathway that encircles the entire San Francisco Bay. We initially supported the Bay Trail in 1988 when then Senator Bill Lockyer introduced SB 100 (Pub. Resources Code § 31162). Like any transportation investment, the Bay Trail's utility is directly proportional to its continuous length. Unless the California State Lands Commission (CSLC) acts to address public access along the shoreline in the vicinity of the Chevron Long Wharf Lease, we fear that the current gap in the Bay Trail will be allowed to exist for the next 30 years. The consequences would 1) continue to hinder bicycle access to the Point San Pablo Peninsula --now reached via a freeway shoulder; 2) preclude walking to the peninsula; and reduce the value of the millions of dollars in public funds already spent in planning and building the Bay Trail.

An additional effect of perpetuating the gap in the Bay Trail near the Chevron Long Wharf is to preclude safe and convenient access to the proposed bicycle and pedestrian access on the Richmond-San Rafael Bridge. Currently, the EBBC, the Marin County Bicycle Coalition, and the Bay Area Bicycle Coalition are engaged in a public process with Caltrans, the Metropolitan Transportation Commission (MTC), and the Bay Conservation and Development Commission (BCDC) to review design proposals from the *I-580 Corridor Richmond-San Rafael Bridge Bicycle and Pedestrian Access Study*. This ongoing effort acknowledges the planned access to the bridge via the Bay Trail alignment that "could travel along Railroad Avenue and Tewksbury Ave, and then could continue along its own right-of-way towards the toll plaza" (Proposal, 9/12/03, section 2, page 3).

The Chevron Long Wharf and land-side operations has direct significant effects on public access to San Francisco Bay, public access between Point Richmond and Point San Pablo Peninsula, public access to the Richmond-San Rafael Bridge, public access to the SF Bay Water Trail, and the safety of bicycle access in the area. The Chevron Long Wharf and operations presently hinders recreational opportunities for East Bay residents. With so many adverse effects from a Long Wharf Lease, we respectfully request that the DEIR be revised to provide a full public review of these effects and consider proposals to avoid or minimize these effects or mitigate the effects as called for by the California Environmental Quality Act (CEQA).

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As an alternative to bicycle travel on I-580 to approach the bridge and Point San Pablo Peninsula, hikers and bicyclists would travel the Bay Trail route to the San Pablo Peninsula from the west end of Tewksbury Avenue over the top of Chevron's Office Hill to the south side of the I-580 corridor near the toll plaza area and the Chevron Long Wharf, then continue under the bridge abutment on an existing Bay Trail segment. North of the bridge, the Bay Trail would follow the level shoreline along the abandoned Richmond Beltline Railroad right-of-way before merging into Western Drive.

Since the 11/28/1998 Notice of Preparation (NOP) of an EIR for renewal of the lease of State lands for continued operation of Chevron's Richmond Long Wharf, our members have visited the site with Chevron personnel and other advocates and planners to assess the feasibility of continuing the Bay Trail across the pipelines that are allowed to connect the refinery with the Long Wharf. In 2001, the Ousta Engineering Corp. completed their *Feasibility Study of Bay Trail Routes to Point San Pablo Peninsula*. In sum, providing public access through the Chevron property is feasible.

Furthermore, the State's *McAtree-Petris Act* acknowledged that "public access to the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided" (Gov. Code § 66602). The Long Wharf Lease decision should also abide by locally adopted plans. The *Richmond Area Specific Guidelines for the West Shoreline - Open Space and Conservation Element* states, "Establish a public access trail from Point Richmond to Point San Pablo including a pedestrian trail from Keller Beach to the Richmond-San Rafael Bridge and a bicycling trail from I-580 along Western Drive to the tip of Point San Pablo."

We concur with the comments by both TRAC and Jim McGrath, regarding the significant impacts the Long Wharf Lease has on providing the public with water oriented recreational opportunities as called for by State legislation establishing the San Francisco Bay Area Water Trail (Gov. Code § 66691, subd. b & d). Water-oriented recreational uses are an integral element of the recreational opportunities that span the San Francisco Bay Area and add to the community vitality and quality of life that the citizens of the region enjoy. The CEQA review should address the Long Wharf's significant impact on implementing the Water Trail and consider either offshore mooring or mitigation for the loss of public access to the shoreline from the San Francisco Bay.

The DEIR's omission of the historical context of public access in the vicinity of the Long Wharf represents an oversight that unfairly supports the CSI.C's conclusion that no mitigation is required because: "Refinery property and associated operations are separate from Long Wharf operations, are not part of the proposed lease, and are not under jurisdiction of the CSI.C. Therefore, issues related to land use associated with the Refinery and planned trail segments are not within the jurisdiction of the CSI.C" (p. 4.5-16). (See CEQA Guidelines, § 15200, subd. a-f.) Chevron's exclusive use of the land between the Long Wharf and the refinery for their pipelines is not supported by the historical record. Public travel on Western Drive, the proposed alignment for the Bay Trail, formerly coexisted with Standard Oil's Long Wharf operations.

The EDBC's research into the construction of Richmond-San Rafael Bridge and approach from Richmond documents that a public roadway, Western Drive, formerly offered bicycle and pedestrian access from Point Richmond to the Point San Pablo Peninsula and ferry dock. A photo of Western